

REMARKS

In response to the Office Action mailed November 1, 2006, Applicants have amended claims 1, 2 and 3. Claims 4-7, 13-15 and 17-61 have been canceled. New claim 62 has been added, support for which can be found in original claim 1. Following the amendments, claims 1-3, 8-12, 16 and 62 are pending in the application. No new matter has been added.

The above amendments are not to be construed as acquiescence to the Examiner's stated grounds for rejections and are made without prejudice to prosecution of any subject matter removed or modified by this amendment in a related divisional, continuation or continuation-in-part application. Favorable consideration of the subject application is respectfully requested in view of the above amendments and the following remarks.

Claims 1-12 and 16 stand rejected under 35 U.S.C. § 112, first paragraph, because the specification, while being enabling for a cell adhesion modulating agent that modulates cadherin-mediated cell adhesion and consists of an amino acid sequence, SEQ ID NO:3 (H-DWVIPP-NH2), allegedly does not provide enablement for all agents that modulate cadherin-mediated cell adhesion and comprise SEQ ID NO:1.

Applicants respectfully traverse. By the above amendment, for clarity, claim 1 has been amended to recite that the claimed modulating agent ranges in size from 6 to 15 amino acid residues and consists of the amino acid sequence Asp/Glu-Trp-Val-Ile/Val/Met-Pro/Ala-Pro (SEQ ID NO:1). Applicants note that SEQ ID NO:1 requires that three of the six residues present are specifically defined, while the remaining three residues are selected from small set of either two or three specified residues. Thus, the claims are drawn to a relatively narrow series of compounds consisting of SEQ ID NO:1 and ranging in size from 6-15 residues. In view of Applicants identification of SEQ ID NO:1 as a consensus cadherin recognition sequence, the demonstration that multiple members of the consensus sequence bind to E-cadherin (e.g., Example 2); and the demonstration that the illustrative sequence DWVIPP is capable of disrupting ovarian cancer cell adhesion (e.g., Example 12), Applicants respectfully submit that the specification is fully enabling for the subject matter claimed. Reconsideration of the rejection is requested.

Claims 1-12 and 16 also stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention. According to the Examiner, the invention as recited contains numerous permutations and the metes and bounds of the invention are vague and indefinite.

Applicants respectfully traverse this rejection. It does not follow from the fact that a claimed invention recites numerous permutations that the claim is indefinite under 35 U.S.C. § 112, second paragraph. Here, the specification is clear in its description of the claimed elements and the skilled individual would understand and appreciate the metes and bounds of the invention in light of the specification. For example, analogues are discussed and illustrative examples of conservative analogues of SEQ ID NO:1 are specifically provided (e.g., page 21, line 11 to page 23, line 16). Further, peptidomimetics are extensively described, including their definition, design, synthesis and use (e.g., page 23, lines 21-28; page 37, line 17 to page 50, line 10). Particular peptidomimetics are also specifically identified and exemplified in the specification as filed (e.g., Examples 10 & 11). In view of the disclosure provided by Applicants, it is submitted that the claims are clear and definite and a skilled artisan would understanding the metes and bounds of the invention. Reconsideration is requested.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Applicants respectfully submit that all of the claims remaining in the application are now believed to be in condition for allowance. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

SEED Intellectual Property Law Group PLLC

/Jeffrey Hundley/

Jeffrey Hundley, Ph.D., Patent Agent
Registration No. 42,676

JEH:ms
701 Fifth Avenue, Suite 5400
Seattle, Washington 98104
Phone: (206) 622-4900
Fax: (206) 682-6031
867288_1.DOC